

CITY COUNCIL PROCEEDINGS

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MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, November 28, 2000
Tuesday, 9:02 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Lambke, Martz, Pisciotte, Rogers; present. *Council Member Gale absent.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

The invocation was given by Rev. Carolyn Rose Brown, First Unitarian Universalist Church.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of November 21, 2000, were approved 7 to 0.

AWARDS AND PRESENTATIONS

*Council Member Gale present.

YOUTH SERVICE

Wichita's Promise – Youth Community Service Awards were presented.

PROCLAMATIONS

Proclamations previously approved were presented.

UNFINISHED BUSINESS

PAVEMENT REPAIR

BRICK PAVEMENT REPAIR ON MOSLEY AND ROCK ISLAND. (District VI)
(Deferred from November 7, 2000)

Steve Lackey

Public Works Director reviewed the Item.

Agenda Report No. 00-1096 A

On November 7, 2000, the City Council deferred this Item. Mosley, from 1st Street to 2nd Street was reconstructed in 1994 as a brick street. Recently, due to failure of the subgrade material, the street has experienced severe settlement in both driving lanes. As a result of the settlement, water stands in large settled pockets, unable to drain into inlets. The condition has continued to worsen due to the saturated subgrade. The sidewalk also has substantial settlement areas, primarily behind the header curb where delivery vehicles park and unload.

Rock Island, from Douglas to 1st Street, has localized areas of settlement in both the street and sidewalk areas. Water stands adjacent to inlet structures in settled areas. Similar to Mosley, bricks in the sidewalk area have settled behind the header curb, due mainly to delivery vehicles driving in the sidewalk area.

Due to the drainage problems and poor conditions on Mosley, the entire street needs to be repaired. Public Works intends to remove all the existing pavers in the street, and approximately three feet behind the header. Approximately four to six inches of rock base will be removed and replaced with concrete. The pavers will be reinstalled to grade to allow for proper drainage.

Mosley will be closed to through traffic during construction. The project will be phased so the north half and south half will be closed and repaired independently to minimize access disruption. Pedestrian walkways will be maintained on both sides of Mosley at all times, including areas where citizens can safely cross the street.

Staff has met with Old Town businesses to discuss project phasing and timeframes.

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The cost of this project is estimated to be \$300,000. \$110,000 is available for transfer from the Street Maintenance Operating Budget to fund a portion of this project. The balance of the cost (\$190,000) is available in the Contract Maintenance Operating Budget.

At a November 14, 2000, meeting with property owners in the area, general consensus was that the repairs are needed. The project will be phased to keep access open. Completion is expected prior to the River Festival.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

-- carried

Cole moved that the project be approved and the necessary budget adjustments be authorized. Motion carried 7 to 0.

NEW BUSINESS

HOUSING

ALTERNATIVE CORRECTIONAL HOUSING.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-1162.

On July 18, 2000, the City Council considered amendments to the ordinance establishing the Alternative Correctional Housing Board and Licensing of Facilities. The City Council's action was to:

1. Direct staff to revisit the mission of the Alternative Correctional housing program.
2. Determine if the Board should have a "broader-base" membership.
3. Review the ordinance establishing the authority of the Board and determine if such tasks and responsibilities could be handled administratively by City departments.
4. Evaluate the Board under the provisions of the City's "sun-setting policy" for boards/commissions.

These issues were considered by the City Council at the September 26, 2000 meeting.

Three alternatives were proposed for providing oversight of alternative correctional housing facilities. The first option terminated the Alternative Correctional Housing Advisory Board and charged City departments with the licensing, oversight and enforcement of the regulations (established by ordinance) of such facilities.

The second option continued the Alternative Correctional Housing Advisory Board for general oversight and policy recommendations and the Regulatory Committee to address non-compliance issues and to provide for an appeal process.

The third option maintained an advisory board appointed by the City Council to oversee the program on a periodic basis, but placed the responsibility for licensing, oversight and enforcement with City departments. City staff would contract with a program auditor to assist in the training, technical assistance and program/operation evaluations of licensed establishments.

The City Council, following public hearing, selected the third option for governance and oversight of operations.

At its September 26, 2000 meeting, the City Council determined that the regulation of Alternative Correctional Housing should be performed by City staff and with the assistance of a qualified program auditor. An advisory board will be established to provide recommendations to the City Council/Staff on policy matters relative to the policy oversight of such facilities within the City.

The City Council's decisions are reflected in amendments to the Alternative Correctional Housing Ordinance. The ordinance restructures the composition the advisory board and reduces membership to seven individuals in keeping with other City advisory boards/commissions. Appointments to the advisory board will include individuals with experience in community services; court system; probationary services; law enforcement; parole services; and two members from neighborhood associations.

The Citizen Regulatory Committee, which handled grievances and appeals, is replaced by a three-person investigative committee (appointed by the City Manager) with appeals rights to the City Council. The proposed ordinance also reflects the City Council's action to require that only supervisory personnel at alternative correctional housing facilities must meet criminal background check requirements.

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Additional funding may be required to expand the technical assistance and program audit services. Currently, providers pay \$400 per audit and, although the auditor provided a complete work product, this level of funding has limited the provision of training and technical assistance. [For example, several providers could be better operators if they had more complete policy and procedure manuals.] And additional allocation (not to exceed \$5,000) would allow for enhanced program audit and technical services to improve operation of licensed facilities. After evaluation, if such services are found to be beneficial to improve quality of licensed establishments, the program could be continued with an adjustment in provider fees or subsidized by the City.

The City Council has the authority to regulate alternative correctional housing as a staff function and to utilize and advisory board for policy recommendations.

The appointments will be made following the previous practice of Council appointments approved by the Mayor.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

-- carried

Pisciotta moved that the Ordinance be placed of first reading; 2001 program audit service funding be authorized; and the appointments be made. Motion carried 7 to 0.

ORDINANCE

An Ordinance amending sections 20.08.010, 20.08.060, 20.08.080, 20.08.090, 20.08.100, 20.08.120, 20.08.130, and 20.08.140 of the Code of the City of Wichita, Kansas, and amending section 20.08.110 as amended by ordinance 44-469, and repealing the originals of said sections; pertaining to the licensing of alternative correctional housing facilities; and also repealing sections 20.08.020 and 20.08.030 of the code of the City of Wichita, Kansas, and repealing section 20.08.040 as amended by Ordinance No. 44-629, and creating new sections 2.12.1150, 2.12.1155, and 2.12.1157, pertaining to the duties of the Alternative Correctional Housing Advisory Board and abolishing the regulatory board; and also creating new section 20.08.015 pertaining to enforcement of the alternative correctional housing licensing ordinance, introduced and under the rules laid over.

PROFILING REPORT

RACIAL PROFILING REPORT.

Norman Williams

Chief of Police reviewed the Item.

Agenda Report No. 00-1163.

In May 2000, Mayor Knight requested information regarding the issue of racial profiling. At that time, the following goal was created: "Increase the trust between the citizens of Wichita and the Wichita Police Department, by focusing on the issue of racial profiling.

Old data has been inconclusive in the department's study of profile type stops:

- ? Drivers license information does not include race
- ? Reasons for officer-citizen stops were not articulated
- ? Times when people were stopped without receiving a citation were not documented

Because of these shortcomings of the current system, the Wichita Police Department created a committee comprised of both citizens and department employees to develop a data collection process for pedestrian and traffic stops. The Data Collection committee suggests the use of a single page form for initial data collection by officers and employees of the Wichita Police Department and Airport Safety Officers. In order to accurately and efficiently enter and store the data collected the committee suggests the use of an optical scan system. This proposal represents the most accurate and currently feasible way to collect the data needed.

The cost of the Opscan 3 system to capture the data (computer software, and forms) is \$10,195. This system will enable the Wichita Police Department capture the aforementioned data for the next six months. Funds are available from 2000 budget year unused salaries.

Norman Williams

Chief of Police, responding to a question, said a report of suspicious persons in the neighborhood would be considered a primary reason for a stop.

A part of the police officer's task will be to ask for the person's race. The information is required for the form.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

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- Tasleem Muqtasid Tasleem Muqtasid questioned the good of the inquiry if the procedure is required for only six months and the officers can then return to status quo.
- Kathy Johnson Kathy Johnson inquired as to how the forms would be filled out when a group was being questioned or stopped.
- Norman Williams Chief of Police answered that there would be one form for each person in the group.
- Walt Chappel Walt Chappel, Wichita Citizens for Equal Law Enforcement, suggested the following:
- 1) Police officers be reassigned to patrol the whole City.
 - 2) Police officers who have demonstrated a lack of respect and tolerance for citizens of color be reassigned to other parts of the City.
 - 3) Mandatory cultural diversity training of police officers.
 - 4) Data collection on each stop with results reported to news media and citizen groups.
 - 5) Appointment of a citizens/police review board.
- Barbara Jones-Mosley Barbara Jones-Mosley, Community Liaison Citizen Prison Review Board, said the same issues were brought up fifteen years ago and no action was taken.
- The form could include allowing citizens to check or mark regarding how they were treated.
- Rev. Wanda McDaniels Rev. Wanda McDaniels said racial profiling has been going on for many years. The court system, not just the Police Department, should be monitored.
- Motion -- carried Knight moved that the program be endorsed. Motion carried 7 to 0.

2001-2010 CIP

2001-2010 CAPITAL IMPROVEMENT PROGRAM.

Matt Jordan

City Manager's Office reviewed the Item.

Agenda Report No. 00-1164.

The proposed 2001-2010 Capital Improvement Program (CIP) was prepared by the CIP Administrative Committee and recently presented to the MAPC for review. The CIP focuses primarily on the 2001-2003 time frame to respond to certain priority changes since the previous program was adopted. These changes include the funding of East Kellogg expansion, the completion of Water and Sewer Master Plans, and the Master Tourism Plan. Staff believes a more comprehensive review of the ten-year program is warranted next year to focus on the latter years (2004-2010) time frame.

The proposed capital program responds to (and anticipates) community needs, uses City funds to maximize other revenue sources - - particularly Federal and State grants - - and maximizes the number and scope of capital investments in the City's infrastructure.

Public comment is crucial to the creation of a comprehensive program. District Advisory Boards, the Metropolitan Area Planning Commission (MAPC), and some neighborhood associations in the community reviewed the proposed ten-year program and offered input in its formulation. The MAPC approved the 2001-2003 program as conforming to the Comprehensive Plan.

The proposed CIP totals more than \$1.69 billion over ten years. Projects include: Kellogg freeway expansion and major infrastructure improvements (including: new and reconstructed roadways, intersections, bridges, and sidewalks), improvements to parks and public facilities, continued emphasis on downtown development and implementation of primary tourism development initiatives, water and sewer system improvements, and public transportation system enhancements as well as airport investments.

Critical capital investments in the plan include:

- ? East-West Freeway interchanges on Kellogg
- ? Remediation of flooding projects in the Cowskin/Calfskin Creeks basins
- ? Elevated Railroad grade separations on Pawnee and along the Central Rail Corridor;
- ? A new floodway crossing over the flood control drainage area;
- ? Completion of the Northeast Sports Complex; and,
- ? A new regional library in the South Wichita.

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This proposed Capital Improvement Program is funded from several sources: property tax (10 mills) comprises 15 percent of resources; local sales tax (LST) revenues fund 18 percent of the capital program; while enterprise revenues fund 32 percent. State and federal funding, much of it leveraged with local matching funds, totals 20 percent of total resources. Finally, special assessments and other sources (such as County and private partnerships) fund 7 percent and 8 percent respectively.

It is proposed that the City Council authorize the 2001 and 2002 capital programs as part of the capital budgets for the next two years, allowing design to commence on the scheduled projects and grant applications to be filed for project financial support.

The 2001-2010 program contains projects totaling an estimated \$1.69 billion. The 2001 capital budget contains \$221.9 million, and \$243.9 million is included in the 2002 capital budget.

The proposed CIP conforms with the existing City's fiscal policies. Implementation of the program should allow the City to maintain its favorable general obligation bond ratings by Moody's and Standard & Poors.

As mandated by Ordinance 39-196, half of the revenue received from the City's portion of a one-percent county-wide sales tax is pledged for road, bridge, and highway projects, including right-of-way acquisition and project design and construction.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Rosalee Bradley

Rosalee Bradley asked what is being planned for the 13th Street/West Street/ St. Paul area.

Steve Lackey

Director of Public Works explained that the original project has been eliminated. There will be signals at 13th and Meridian and 13th and St. Paul.

Sybil Strom

Sybil Strom said Streets abutting McLean need improving, and there are no sidewalks on McLean.

Motion --

Knight moved that the 2001-2010 Capital Improvement Program be approved; and initiation of all projects scheduled for 2001 and 2002, with appropriate design solicitation and filing of applications for available state and federal project support, be authorized. Motion carried 7 to 0.

-- carried

MUNICIPAL COURT

INDIGENT DEFENSE SERVICES – MUNICIPAL COURT.

Gary Rebenstorf

Director of Law reviewed the Item.

Agenda Report No. 00-1165.

The City is required to provide legal defense to persons accused of a crime when they cannot afford to hire a private attorney. By ordinance, the Administrative Judge has the authority to maintain a list of qualified attorneys who will be assigned cases at a fee set by the ordinance. Additionally, the court is allowed by ordinance to contract with attorneys to provide all indigent defense services subject to Administrative Regulation 7d.

In 1999, the services of appointed legal counsel were provided in approximately 7,567 cases for approximately 4,500 defendants. Expected indigent defense services to be provided through year-end 2000 is 8,500 cases (to an expected 5,250-clients). For the past three years the Court has contracted with Suzanne Dwyer, Attorney at Law to provide this indigent defense service.

Recently the Court requested proposals from the legal community to represent indigent defendants. Two proposals were received and reviewed; however, the Law Department disqualified one proposal because it would not meet necessary legal standards. A screening committee was formed to evaluate the remaining response and selected Ms. Suzanne Dwyer to provide the services.

Defense attorneys will provide services to their clients on a four-day per week schedule as compared to the past contracted five-day work-week. This will allow for integration of public defender cases with the regular dockets for all other Municipal Court cases excluding Fridays. This service will also be provided to the indigent clients housed in the Sedgwick County Detention Facility with Municipal Court charges. Additionally, the attorneys will meet with their clients in their office at 114 N. Market. They will be available in person and by telephone to answer questions and discuss the case.

The annual cost of this contract is \$250,000 as compared to the past contract amount of \$263,000. A \$4 fee is included in court costs for every case and ticket processed in Municipal Court. By year-end 2000, it is expected

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this fee will generate \$234,300. Additional revenues will be generated through a fee assessed to indigent defendants based on income levels and the number of times the case is handled by the court. By year-end 2000, it is expected this fee will generate \$30,245.

The 2000 Adopted Budget for Municipal Court authorizes \$263,000 for indigent defense services. Budgetary action to decrease the budgeted amount from \$263,000 to \$250,000 will be submitted when adopting the 2001 revised budget.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

GREENING PROGRAM WICHITA GREENING PROGRAM – TREE TRUST.

Chris Cherches

City Manager reviewed the Item.

Agenda Report No. 00-1166.

Over the past two years, the City has experienced storm damage in many parts of the City. Particularly hard hit during these storms were many mature trees, significantly depleting the overall City's urban forest. These storms created more damage and destruction than the years of planting and caring for existing trees. An estimated 10,000 trees were lost due to these storms. The City has been successful, however, in receiving reimbursements and insurance settlements for portions of its storm damage costs.

Recently, the City established a tree reforestation program, focusing on an ambitious program of planting 100,000 trees. This plan calls for a public-private partnership to accomplish its goals. A Wichita Tree Trust Board has been established to accomplish the mission of providing the vision, leadership, structure and funding to fully "forest" the City of Wichita. A commitment of these funds will be the first step in the comprehensive program to establish an on going reforestation program for the quality of life in Wichita.

The community has initiated a Wichita Greening Program along with a special Tree Trust Fund to encourage a community-wide public-private effort for a large-scale planting of new trees throughout Wichita. The City has committed to showing leadership in this community initiative by identifying first an initial public investment in the Wichita Greening Program, with consideration of future additional funding. To provide this initial infusion of public funding, it is proposed to make an investment of \$500,000 in the storm damage reimbursement/insurance settlement proceeds into the Tree Trust Fund.

The settlement proceeds can be placed in the trust fund for new planting. The Lattner Foundation has indicated its support for the Greening of Wichita partnership program with a grant of \$50,000.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- carried

Knight moved that the transfer of funds be approved. Motion carried 7 to 0.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD APPOINTMENTS.

No appointments were made.

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CONSENT AGENDA

Knight moved that the Consent Agenda, except Item 20, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED NOVEMBER 27, 2000.

Bids were opened November 17,2000, pursuant to advertisements published on:

Landscaping the Intersections of Central/Meridian/McLean and Central/Zoo /Sheridan (Central & McLean and Central & Zoo) (472-83295/706801/706689 /108256/208222) Traffic to be maintained during construction using flagpersons and barricades. (Districts IV & VI)

Green-Glo Turf Maintenance - \$122,966.50 (Negotiated to Engineer's estimate)

Knight moved that the contract be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

PUBLIC WORKS DEPARTMENT/FLEET & BUILDINGS DIVISION: Window Replacement – Farm and Art Market. (792315)

S & A Construction - \$65,193.00 – (Total net bid)

WATER & SEWER DEPARTMENT/PRODUCTION & PUMPING DIVISION: Liquid Phosphate. (183632)

Sweetwater Technologies – \$0.29(Unit cost per pound)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

LICENSES

APPLICATION FOR LICENSES FOR ADULT ENTERTAINMENT ESTABLISHMENTS/SERVICES:

New Adult Entertainment

Jennifer Rickords	Delight Dating Service	1121 East Waterman
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Renewal Adult Entertainment

James Trotter	Camelot Theater	1519 South Oliver
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Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2000</u>	<u>(Consumption on Premises)</u>
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Carmen Lopez	Connie's Mexico Café*	2227 North Broadway
Rick L. Schroer	Rose Bowl East dba Playtime Inc.*	7001 East Kellogg

(Consumption off Premises)

Thomas R. Smith	Checkers K-15	1915 East Pawnee
Jay A. Johnson	Johnson's General Stores, Inc. #06	1003 South Seneca
Jay A. Johnson	Johnson's General Stores, Inc. #39	5400 North Meridian

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- carried

Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

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PLANS AND SPECS.

SUBDIVISION PLANS AND SPECIFICATIONS.

There were no sub-division plans and specifications submitted.

PRELIMINARY ESTS.

PRELIMINARY ESTIMATES:

- a) Main 11, Sanitary Sewer No. 23 to serve Sawmill Creek Addition - north of 45th Street North, east of Rock Road. (468-83116/743846/480534) Does not affect existing traffic. (District II) - \$375,000.00
- b) Mount Vernon from the east line of Lot 3, Block 5, to the east line of Lot 20, Block 6; Longlake Street from the east line of Lot 10, Block 6, to the southeasterly line of Lot 16, Block 6; Justin Street from the southeasterly line of Lot 16, Block 6, to the north line of Mount Vernon, and; Justin Circle from the south line of Mount Vernon to and including cul-de-sac to serve Smithmoor 9th Addition - south of Harry, west of Greenwich. (472-83109/765648/490759) Does not affect existing traffic. (District II) - \$287,000.00
- c) Water Distribution System to serve Smithmoor 9th Addition - south of Harry, west of Greenwich. (448-89400/734983/470653) Does not affect existing traffic. (District II) - \$89,000.00

Motion -- carried

Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS

DEEDS AND EASEMENTS:

- a) Public Street and Utility Easement dated October 25, 2000 from Starr Investments, LLC, a Kansas Limited Liability Company, and Starr Holdings Company, LLC, a Kansas Limited Liability Company, for tracts of land in the NW 1/4 Sec. 23, Twp. 27S, R-1-E of the 6th P.M., Sedgwick County, Kansas (Central & Hillside, OCA # 706705). No Cost to City.
- b) Sanitary Sewer Easement dated November 16, 2000 from Lonnie H. Bosley, President, Bosleys Tire Service, Inc. for a tract of land in the SW 1/4 Sec. 9, Twp. 28S, R-1-E of the 6th P.M., Sedgwick County, Kansas (Lat. 88, Mi, SWI, OCA # 743793). No cost to City.
- c) Sanitary Sewer Easement dated November 16, 2000 from Lonnie H. Bosley, President, Bosleys Tire Service, Inc. for a tract of land in the SW 1/4 Sec. 9, Twp. 28S, R-1-E of the 6th P.M., Sedgwick County, Kansas (Lat. 88, Mi, SWI, OCA # 743793). No cost to City.
- d) Public Utility Easement dated November 13, 2000 from the Board of Park Commissioners for a tract of land in the SE 1/4 Sec. 36, Twp. 26S, R-1-E of the 6th P.M., Sedgwick County, Kansas (OCA # 132001). No cost to City.

Motion --
-- carried

Knight moved that documents be received and filed and the necessary signatures be authorized. Motion carried 7 to 0.

PAVING IMP.

PETITION TO PAVE PART OF CLEAR CREEK CIRCLE AND ST. ANDREWS DRIVE IN SPRINGDALE LAKES ADDITION – SOUTH OF KELLOGG, EAST OF 127TH STREET EAST. (District II)

Agenda Report No. 00-1167.

The Petition has been signed by two owners, representing 100% of the improvement district.

The project will pave a segment of streets not included in a previous paving Petition.

The Petition totals \$24,500. The funding source is special assessments.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

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RESOLUTION NO. R-00-416

Resolution of findings of advisability and Resolution authorizing improving of Clear Creek Circle from the south line of Gilbert, south to the south line of the Plat. St. Andrews Drive from the south line of Gilbert, south to the south line of the Plat – south of Kellogg, east of 127th Street East (472-83299), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 00-1169.

In accordance with the Special Events Procedure, event sponsors are to notify adjacent property owners and coordinate arrangements with Staff, subject to final approval by the City Council.

The following street closure requests have been submitted.

1. Holiday Lights for the Season – December 1, 2000 6:40 p.m.– 7:20 p.m. (approximately)
 - ? Douglas from Sycamore to Water
 - ? McLean from Lewis to Second Street
 - ? 2nd street from McLean to Waco
2. Jingle Bell Run - December 2, 2000 – 8:00 a.m. – 12:00 noon
 - ? Central & Stackman (estimated time of 15 minutes for closure)

Inasmuch as possible, event sponsors are responsible for all costs associated with special events.

Motion --

Knight moved that the street closure requests be approved subject to: (1) Event sponsors notifying every property and/or business adjoining any portion of the closed street; (2) Coordination of event arrangements with City Staff; (3) Hiring off-duty public safety officers as required by the Police Department; (4) Obtaining barricades to close the streets in accordance with requirements of Police, Fire and Public Works Department; (5) Submitting a Certificate of Insurance evidencing general liability insurance which covers the event and its related activities, including the naming of the City as an additional insured with respect to the event's use of the closed City streets. Motion carried 7 to 0.

-- carried

DESIGN SERVICES

SUPPLEMENTAL AGREEMENT FOR CONSTRUCTION ENGINEERING SERVICES – CENTRAL FROM ZOO BOULEVARD TO MCLEAN – LANDSCAPING. (Districts IV and VI)

Agenda Report No. 00-1170.

The City Council approved the design of Central, Zoo to McLean and entered into an Agreement with Baughman Company, P.A. for the design services. The Design Agreement with Baughman requires Baughman to provide construction engineering services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for construction engineering services for the landscaping at the intersections of Central & Sheridan and Central/Meridian/McLean. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering for this project.

Payment will be on a lump sum basis of \$4,400 and will be paid by General Obligation Bonds.

Motion --

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

-- carried

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DESIGN SERVICES

SUPPLEMENTAL AGREEMENT – CONSTRUCTION ENGINEERING SERVICES FOR CENTRAL FROM I-235 TO ZOO BOULEVARD – LANDSCAPING. (Districts IV, V, and VI)

Agenda Report No. 00-1171.

The City Council approved the project on June 27, 1995. On January 9, 1996, the City approved an Agreement with Baughman Company, P.A. to design the improvements. The Design Agreement with Baughman requires Baughman to provide construction engineering services if requested by the City.

The proposed Supplemental Agreement between the City and Baughman provides for construction engineering services for the landscaping on Central from I-235 to West. Due to the current workload created by previous projects, City crews are not available to perform the construction engineering for this project.

Payment will be on a lump sum basis of \$4,000 and will be paid by General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES FOR FOREST LAKES WEST – NORTH OF 29TH, EAST OF TYLER. (District V)

Agenda Report No. 00-1172.

The City Council approved the project on September 23, 1997.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Forest Lakes West. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$29,500, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

AGREEMENT FOR DESIGN SERVICES FOR EVERGREEN AND EVERGREEN SECOND ADDITIONS – NORTH OF 21ST STREET, WEST OF MAIZE ROAD. (District V)

Agenda Report No. 00-1173.

The City Council approved the project on August 8, 2000.

The proposed Agreement between the City and Professional Engineering Consultants, P.A. (PEC) provides for the design of bond financed improvements in Evergreen & Evergreen 2nd Additions. Per Administrative Regulation 7a, staff recommends the selection of PEC because PEC provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment will be on a lump sum basis of \$63,500, and will be paid by special assessments.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF PORTION OF 7136 WEST CENTRAL AVENUE FOR THE CENTRAL/RIDGE INTERSECTION PROJECT. (District V)

Agenda Report No. 00-1174.

The widening and improvement of Central from the Big Ditch to Woodchuck is included in the Arterial Corridor improvements in the 2000 CIP. As part of this project, the intersection of Ridge Road and Central will be widened and turn lanes added. These improvements will require the acquisition of a portion of the Phillips 66 Service Station on the northeast corner of Ridge Road & Central Avenue, commonly known as 7136 West Central Avenue.

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The site contains 28,875 square feet and is improved with a gas station/convenience store/car wash. The parcel to be acquired contains 200 square feet. The taking does not impact the improvements.

The acquisition was appraised at \$2,000.00 with an additional \$3,900.00 for the cost to cure damages for a total value of \$5,900.00. The owner has agreed to sell the property for this amount.

The Capital Improvement Program includes funds for Arterial Corridor acquisitions. The funding source is General Obligation Bonds. A budget of \$7,000 is requested. This includes \$5,900.00 for the acquisition and \$1,100 for closing costs, partial mortgage release and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 4444 SOUTH BROADWAY – FIRE STATION.

Agenda Report No. 00-1175.

The City Council has previously reviewed and approved the Fire Station Location Study that anticipates the relocation of eight existing fire stations and the addition of two new fire stations over the next ten years. A review of possible sites has been underway, and the first two sites have been acquired.

A City staff team, including representatives from Fire, Park, City Manager, and Finance conducted a review of multiple sites. A site at 4444 South Broadway has been selected for the third new fire station. This site is an excellent location to provide rapid response to South Wichita. An RFP is now out for selection of an architect for facility design; construction will begin in 2001.

The estimated cost of acquisition of the site is \$152,000 (\$148,000 purchase price plus not-to-exceed \$4,000 for closing costs). Funding for the land acquisition is included in the adopted Capital Improvement Program.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; the bonding Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-417

A Resolution authorizing the issuance of General Obligation Bonds of the City of Wichita, Kansas to pay all or a portion of the costs of acquiring property generally located at 4444 South Broadway, Wichita, Sedgwick County, Kansas, for the purpose of locating a fire station and branch library site, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

TREECYCLE VENDOR TREECYCLE PROGRAM.

Agenda Report No. 00-1176.

TreeCycle is the annual Christmas Tree recycling effort. From 1991 through 1995 it was a volunteer effort that disbanded February 1996 due to an anticipated yard waste ban. That year the City contracted with a local Vendor to run the program. Sedgwick County hired a Vendor to run the 1997 TreeCycle program, and then the City again employed Contractors to handle the 1998 and 1999 programs. During the 2000 budget review, Council approved TreeCycle as a budgeted program funded with Brooks Landfill tipping fees. City Staff has received three proposals from Vendors for running the 2000 program. TreeCycle is set to run December 20, 2000, through January 20, 2001. This program will be taken over by Sedgwick County after Brooks Landfill closes in October of 2001.

The specifications are written so that this is a turnkey program for the City. Abe' Tree Service proposes to run the program for \$89,000, but offers no additional benefits for the City. Proffitt's Tree Service proposes to manage the program for \$30,410 that includes 84 30-second TV commercials advertising TreeCycle to the public. Johnson's Garden Center, Inc., the business that ran TreeCycle 1998 and 1999, proposes to do the program for \$22,000. They will also advertise TreeCycle during their programs on local TV and radio; place it on their Web Site; include it in their December & January Tip sheets distributed in store; send it out in their newsletter; and have in-store TreeCycle promotions.

The Governmental Relations Director is making arrangements to have a public education campaign, which will give site locations and dates of TreeCycle.

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This program is calculated not to exceed \$34,000, with budgeted funds (of \$50,000) coming from landfill tipping fees. This budget is based on these program elements:

1. SITES AND GRINDING. Johnson's Garden Center will manage the seven tree drop-off sites and run a promotional campaign (a \$4050 value for the City) for a cost of \$22,000.
2. PROMOTION. Radio and newspaper advertisements will be used to encourage the public to recycle their trees at an estimated cost of \$12,000 (from City environmental education budget).

Motion --
-- carried

Knight moved that vendor and Contract be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

CITY/COUNTY AGREE. TREECYCLE PROGRAM: MEMORANDUM OF AGREEMENT WITH SEDGWICK COUNTY.

Agenda Report No. 00-1177.

Over the past several years, the City of Wichita (City) and Sedgwick County (County) have cooperated to provide the TreeCycle Program to area citizens. TreeCycle is a comprehensive recycling program that provides Christmas tree grinding and hauling, mulch production, and availability for public use of recycled product.

A Memorandum of Agreement has been prepared outlining City and County responsibilities associated with the TreeCycle Program. The County will provide all services, with the City designating appropriate sites for TreeCycle activities.

The Memorandum of Agreement is effective December 22, 2001, through January 23, 2006. The County agrees to grind into medium grade mulch all Christmas trees brought to or within one hundred (100) feet of any of the sites, from December 22, of each year of the agreement through and including January 23, each year of the agreement.

Mulch produced by the TreeCycle Program will be left at prospective TreeCycle sites for the public to pick up and use.

Motion --
-- carried

Knight moved that the Memorandum of Agreement be approved and the necessary signatures be authorized. Motion carried 7 to 0.

(Agenda Item No. 20) COMPUTER/DATA

PURCHASE OF SCADA SYSTEM SOFTWARE FOR SEWAGE TREATMENT PLANT.

This Item was pulled from the Agenda.

H.O.P.E. INC.

H.O.P.E., INC., RESOLUTION OF SUPPORT FOR STATE HOUSING TRUST FUND APPLICATION. (District I)

Agenda Report No. 00-1179.

The State of Kansas has issued a Notice of Funding Availability from the State Housing Trust Fund (SHTF). Eligible applicants include private firms, local governments, and other organizations. Projects are restricted to housing. Eligible use of the funds include homeownership, rental housing, housing with supportive services and development enhancement.

The \$1.5 million SHTF funding is competitive on a state-wide basis with some consideration given to achieving a fair geographic distribution of funds.

H.O.P.E., Inc, is applying for a grant to implement H.O.P.E. Firstlink, a Specialized Transitional Housing Project for women and children in transition that will provide a family-centered coordinated approach. Firstlink will provide housing, case management, service connection, community education/outreach, and training opportunities.

The State of Kansas requires a formal resolution of support from local governing bodies. H.O.P.E, Inc is requesting \$100,000 from the Housing Trust fund for the acquisition and rehabilitation of a property to provide congregate transitional housing for families for 6-8 months. The location for the siting of the program will be determined once funding is awarded. The program will be located in District I.

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Prior to the formalization of an agreement to acquire a property, H.O.P.E., Inc will present to the District I Advisory Board with information on location and planned rehabilitation.

State Housing Trust Fund is part of the financing package for the acquisition and rehabilitation of the property.

Motion -- carried

Knight moved that the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. R-00-418

A Resolution establishing support for an application for State Housing Trust Fund, as require by the State of Kansas, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CENTURY II

CENTURY II AND EXPO HALL RENTAL RATE INCREASE.

Agenda Report No. 00-1180.

Approved in Century II's 2001/2002 Budget is a Performance Enhancement Proposal to increase rental rates in 2001. Included in this Performance Enhancement Proposal is the creation of a new commercial rate for Expo Hall, in order to differentiate between conventions and commercial consumer shows using this hall. The last rental rate increase for Century II and Expo Hall was in 1996. A recent survey of other convention centers in comparable cities (Topeka, Tulsa, and Oklahoma City) shows that these new rates are still competitive, and will not affect future business.

Recommended increases for the individual halls are shown below. Other than the new commercial rate for Expo Hall, the increases for each hall represents basically a 5% increase, to reflect increased personnel, utility, and material/supply costs since 1996. These new rates will go into effect January 1, 2001, except for the resident performing art groups that have already established their operating budgets for their current seasons. These groups include, Wichita Symphony, Music Theatre of Wichita, Stage One, Wichita Theatre Organ, Inc., Wichita Children's Theatre, Music Theatre for Young People, and SFX Theatrical Group.

<u>Unit</u>	<u>Rent Increase</u>
Concert Hall	\$580 to \$610
Convention Hall - Flat Floor Events	\$700 to \$740
Arena Events	\$900 to \$1,000
Exhibition Hall	\$700 to \$740
Exhibition Hall Balcony	\$160/300 to \$170/350
Mary Jane Teall Theater	\$230 to \$240
Bob Brown Expo Hall Convention Rate (100%)	\$2,800 to \$2,900
Convention Rate (60%)	\$1,850 to \$1,950
Commercial Rate (100%)	\$3,500
Commercial Rate (60%)	\$2,400

The proposed increases in the hall rental rates, based on the current usage, will increase annual hall revenues by an estimated \$35,000.

Motion --
-- carried

Knight moved that the revised rental rates be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. R-00-419

A Resolution adopting a schedule of rental rates for Century II Convention Center, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

ORDINANCE

SECOND READING ORDINANCE--IRB, ROYAL CARIBBEAN CRUISES LTD. (FIRST READ NOVEMBER 21, 2000)

ORDINANCE NO. 44-818

a) An Ordinance authorizing the City of Wichita, Kansas, to issue its taxable industrial revenue bonds in the

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aggregate principal amount of not to exceed \$19.8 million for the purpose of providing funds to acquire a site and construct improvements thereon and to acquire, purchase, and install certain machinery and equipment therein, all to be located in the City of Wichita, Kansas; prescribing the form and authorizing execution of a first supplemental trust indenture by and between the City and Intrust Bank, N.A., Wichita, Kansas, as trustee with respect to the bonds; prescribing the form and authorizing execution of a first supplemental lease agreement by and between Royal Caribbean Cruises LTD. and the City; approving the form of a guaranty agreement; and authorizing the execution of a bond purchase agreement by and between the City and Royal Caribbean Cruises LTD., as purchaser of the 2000 bonds, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

EXECUTIVE SESSION

Motion -- Knight moved that the Council recess and move to executive session at 10:45 a.m. to consider consultation with legal counsel on matters privileged in the attorney/client relationship relating to employer-employee negotiations; and council return from executive session no earlier than 11:15 a.m.

RECESS The City Council recessed at 10:35 a.m. and returned at 11:15 a.m.

Mayor Knight Mayor Knight announced that no action was necessary as a result of the executive session.

ADJOURNMENT The City Council meeting adjourned at 11:15 a.m.

Pat Burnett CMC
City Clerk